

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JAMES MITCHELL,

Defendant.

13-CR-070-6 (JMF)


ORDER

JESSE M. FURMAN, United States District Judge:

On May 15, 2020, the Court received the attached submission (redacted to remove personal identifying information) on Defendant's behalf asking for his early release in light of the COVID-19 pandemic. Out of an abundance of caution, the Court concludes that it is appropriate to appoint counsel for Defendant pursuant to the Criminal Justice Act. Former counsel has graciously agreed to accept appointment. Accordingly, Thomas Nooter is hereby appointed as counsel pursuant to the Criminal Justice Act to handle any application relating to COVID-19). Mr. Nooter shall promptly contact the Defendant and the writer of the attached letter to notify them of his appointment. (To that end, the Court will provide an unredacted copy of the letter to Mr. Nooter.)

SO ORDERED.

Dated: May 18, 2020  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge

[REDACTED]  
New York, NY [REDACTED]

April 24, 2020

Judge Jesse M. Furman

Thurgood Marshall

United States Courthouse

40 Foley Square

New York, NY 10007

Re: James Mitchell 92012-054, FCI Williamsburg

Dear Judge Furman:

I am writing on behalf of James Mitchell inmate number 92012-054. Mr. Mitchell applied for a compassionate release due to COVID-19 and was denied. He informed me that he was denied because of an altercation that he had with another inmate in 2013. I am also appealing to you to consider the Loosening Care Act Section (B)(2) which states that if an inmate has served 50 % of his time or has had no disciplinary action within the past 12 months they are eligible for the compassionate release. Mr. Mitchell is scheduled to be released November 14, 2021. Yes, he made a mistake in 2013 but he has learned his lesson and has given his life to the lord. He was baptized May 11, 2018. He has not had a physical altercation with another inmate since then. He does not have a history of violence. His original charge is conspiracy to distribute narcotics which is a victimless crime. I am pleading with you to not penalize him for a mistake that he made nearly 7 years ago. Mr. Mitchell's health conditions make him susceptible to COVID-19. He has an aneurysm on his brain, diabetes, and he has a risk of epileptic seizures. He was receiving medical care, prior to his incarceration, at Montefiore hospital. Part of his discharge plan is he will be released to my home.

Thank you for reading this letter and for considering this matter. His family and I are looking forward to his release.

I can be reached at the above address or phone number [REDACTED]

Thank you,

*Regina E. Ross*

Regina E. Ross

Reg. <sup>235</sup>

New York, NY

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Judge Jesse M. Furman  
Thurgood Marshall United States Courthouse  
40 Foley Square  
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